

**DEFENDANT'S**

**EXHIBIT A**

# EXHIBIT A



## Harris County Sheriff's Office



### Incident Report

Today's Date: 9/11/2023 7:05

#### Incident Information

Incident ID: 22-0114-760  
 Incident Type: Disciplinary  
 Incident Status: Approved  
 Incident Occured: 1/14/22 13:36  
 Incident Reported: 1/14/22 16:14  
 Reporting Officer: MARTINEZ, H  
 Supervisor: ARLEN, T  
 Incident Location: JA09 - 4 - N - 1 - K Coll  
 Violent Incident: Yes  
 Violence Type: Other  
 Reason: refer to report.  
 Comment:

#### Inmate Involved

Name: HOWELL, KENNETH PAUL  
 SPN: 01667900  
 Race: White  
 Gender: Male  
 Involvement: Participant  
 Weapon: N  
 Confirmation of Service: Y  
 PREA: N  
 Medical: Y  
 Force: Y  
 Housing Location At Time Of Incident: JA09-4-N-1-01L  
 Statement: No Statement Provided  
 Offense: 1103 Assault On Staff - Major  
 Disposition: Closed-Found Guilty  
 Reason:  
 Injury: N  
 Severity:  
 Description:  
 Hospital Name:  
 Mental Health Filed: N  
 Illness: N  
 Photo: N

#### Staff Involved

Name: MIRE, BLAKE  
 Badge:  
 Position: Detention Officer  
 Type of Involvement: Responding Officer  
 Medical: N  
 E17: N  
 Photo Taken?: N  
 Use of Force: N  
 Injury:  
 Severity:  
 Description:  
 Hospital Name:  
 Mental Health Filed:  
 Illness:  
 Photo:

Incident Report

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HC\_0001

## Incident Information

Incident ID: 22-0114-760  
Incident Type: Disciplinary  
Incident Status: Approved  
Incident Occurred: 1/14/22 13:36  
Statement: Incident Number: 220114760  
Author: BLAKE MIRE  
Staff Statement  
Date Recorded: 01/20/2022 16:41

Incident Reported: 1/14/22 16:14  
Reporting Officer: MARTINEZ, H  
Supervisor: ARLEN, T  
Incident Location: JA09 - 4 - N - 1 - K Coll

Violent Incident: Yes  
Violence Type:  
Reason: Other  
Comment: refer to report.

On Friday, January 14, 2022, I, Detention Officer B. Mire [REDACTED] was assigned to Early Watch, 4th Floor, C-Pod, at the Harris County Sheriff's Office Detention Facility located at 1200 Baker Street in Houston, Texas. At approximately 1340 hours, I was given custody of Inmate Howell, Kenneth (SPN: 01667900) to escort him down to the 1200 clinic to be seen by the medical staff. Inmate Howell was evaluated by medical and a hospital transport was ordered by the provider. I obtained the medical receipt for this use of force. I was relieved at 1830 hours by Detention Officer Zelaya, Jorge [REDACTED].

End of statement.

File Statements: No file attached

Name: RUBIO, JAYSON

Badge:

Position: Detention Officer

Type of Involvement: Responding Officer

Medical: N

E1?: N

Photo Taken?: N

Use of Force: N

Injury:  
Severity:  
Description:  
Hospital Name:  
Mental Health Filed:  
Illness:  
Photo:

Statement: Incident Number: 220114760

Author: JAYSON RUBIO

Staff Statement

Date Recorded: 01/20/2022 10:04

On Friday, January 14, 2022, I, Detention Officer (DO) J. Rubio (EIN [REDACTED]), was assigned to the Fourth Floor, H-pod rover, First watch, of the Harris County Sheriff's Office Detention Facility located at 1200 Baker Street in Houston, Texas.

At approximately 1336 hours, a floor page was made for all available rovers to respond to 4N1 for an inmate-deputy fight. Upon entering 4N1, I observed an unidentified inmate being escorted by DO H. Martinez (EIN [REDACTED]) out of 4N1K-Cell. I assisted by gaining control of the inmate's right shoulder and walked him out of 4N1 cell block. DO Martinez and I escorted the inmate down the South hallway at which point Sgt. F. Augustine ([REDACTED]) instructed me to place the inmate on the wall so he could be escorted to the clinic by another Detention Officer. I identified the inmate by his Harris County issued armband as Howell, Kenneth (SPN 01667900). I returned to my assignment. I did not strike or kick Inmate Howell at no time.

End of Statement.

File Statements: No file attached

Name: TISE, MARCOS

Badge:

Position: Detention Officer

Type of Involvement: Officer Assigned to Post

Medical: N

E1?: N

Photo Taken?: N

Use of Force: N

Injury:  
Severity:  
Description:  
Hospital Name:  
Mental Health Filed:  
Illness:  
Photo:

Incident Report

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HC\_0002

**Incident Information**

**Incident ID:** 22-0114-760 **Incident Reported:** 1/14/22 16:14  
**Incident Type:** Disciplinary **Reporting Officer:** MARTINEZ, H  
**Incident Status:** Approved **Supervisor:** ARLEN, T  
**Incident Occurred:** 1/14/22 13:36 **Incident Location:** JA09 - 4 - N - 1 - K Coll

**Violent Incident:** Yes  
**Violence Type:**  
**Reason:** Other  
**Comment:** refer to report.

**Statement:** Incident Number: 220114760  
**Author:** MARCOS TISE

**Staff Statement**

**Date Recorded:** 01/15/2022 10:42

On Friday, January 14, 2022, I, Detention Officer Tise, M. [REDACTED] was assigned as a rover on early watch, on the 4th floor at the Harris County Sheriff's Office Detention Facility located at 1200 Baker Street, Houston, Texas.

At approximately 1336 hours, while performing routine rover duties on the Fourth Floor, I relieved Detention Officer H. Martinez [REDACTED] in the 4N Pod Control Center (PCC) in order for him to distribute toilet paper to an inmate housed in the 4N1K cell, Inmate Howell, K. (SPN 01667900). D.O. Martinez approached 4N1K cell with toilet paper in hand and signaled for me to open the door. Once the cell door was opened, I observed inmate Howell turn his body toward D.O. Martinez with his left foot forward and his right foot staggered behind the left, then slightly crouched down, as if he was going to run out of the cell. D.O. Martinez was observed de-escalating the situation, due to the fact inmate Howell was angry it took so long to receive the toilet paper.

While D.O. Martinez was speaking to inmate Howell, inmate Howell lunged forward at him. D.O. Martinez responded defensively by delivering a single closed fist strike, to the left side of Inmate Howell's facial area. I immediately made a building page for a "Deputy-Inmate fight" in the 4N1 cellblock. D.O. Martinez was able to quickly handcuff Inmate Howell, without further incident. D.O. Martinez then assisted Inmate Howell to his feet and with the assistance of D.O. Rubio, escorted Inmate Howell out of the cell block. Inmate Howell was escorted to the 1st floor clinic for a medical evaluation.

I did not observe any visible injuries on the left side of inmate Howell's face.

**File Statements:** No file attached

**Name:** TOWNLEY, JORDAN

**Badge:**

**Position:** Detention Officer

**Type of Involvement:** Officer Assigned to Post

**Medical:** N

**E1?:** N

**Photo Taken?:** N

**Use of Force:** N

**Injury:**

**Severity:**

**Description:**

**Hospital Name:**

**Mental Health Filed:**

**Illness:**

**Photo:**

**Statement:** Incident Number: 220114760

**Author:** JORDAN TOWNLEY

**Staff Statement**

**Date Recorded:** 01/14/2022 20:11

On January 14, 2022, I, Detention Officer J. Townley [REDACTED] was assigned to work late watch, Fourth Floor, N-Pod Control Center, of the Harris County Sheriff's Office Detention Facility located at 1200 Baker Street in Houston, Texas.

At approximately 1937 hours Sergeant T. Lusk [REDACTED] informed me that Inmate Howell, Kenneth (SPN 01667900) was being sent to Ben Taub hospital per Doctor Cortez N.P for a Jaw fracture due to a use of force. Inmate Howell was transported via ambulance K&K, while being escorted by Deputy R. Lopez [REDACTED] from 1200 JUSTICE HOUSING Medical Security.

Sergeant T. Lusk [REDACTED] and Classification Detention Officer R. Pallini [REDACTED] were notified of the incident.

**File Statements:** No file attached

**Inmate Witnesses For Hearing**

Name	Booking ID	Involvement
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**Statement:** No Statement Provided

**Incident Report**

**Incident Report**

## Incident Information

Incident ID: 22-0114-760 Incident Reported: 1/14/22 16:14  
 Incident Type: Disciplinary Reporting Officer: MARTINEZ, H  
 Incident Status: Approved Supervisor: ARLEN, T  
 Incident Occurred: 1/14/22 13:36 Incident Location: JA09 - 4 - N - 1 - K Coll  
 Violent Incident: Yes  
 Violence Type: Other  
 Reason: refer to report.  
 Comment:

Incident Number: 22-0114-760

Author: HENRY.MARTINEZ2

Incident Notes Date Recorded: 01/14/2022 16:19

On Friday, January 14, 2022, I, Detention Officer H. Martinez, [REDACTED] was assigned to N-Pod on Early Watch, on the Fourth Floor, at the Harris County Sheriff's Office Detention Facility, located at 1200 Baker Street in Houston, Texas.

At approximately 1336 hours, I was relieved by Detention Officer M. Tise [REDACTED] in 4N Pod Control Center (PCC) to distribute toilet paper to inmates housed in 4N1. Upon entering 4N1, I approached cell 4N1K and signaled to Detention Officer Tise in the PCC to open the cell door, so I could give the inmate (identified by I-card/armband as Howell, Kenneth SPN 01667900) toilet paper. Inmate Howell became agitated and began yelling at me regarding how long it has taken to receive the toilet paper. I attempted to speak to Inmate Howell in an effort to deescalate the situation. Inmate Howell responded by aggressively lunging toward me. I reacted defensively by striking Inmate Howell with a closed fist, one time, on the left side of his face. Inmate Howell then fell on the bunk, at which point I was able to place him in handcuffs. I then assisted Inmate Howell to his feet and escorted him out of the cell block, where I was then assisted by Detention Officer J. Rubio [REDACTED].

D.O. Rubio then proceeded to escort Inmate Howell to the FCC (Floor Control Center) hallway. Detention Officer B. Mire [REDACTED] took hold of Inmate Howell and him to the First Floor Clinic at 1200 Baker St for a medical evaluation.

Inmate Howell was notified he was being written up for violating Harris County Sheriff's Office Inmate Handbook Code (1317) UNAUTHORIZED CONTACT WITH ANY STAFF MEMBER. Inmate Howell was afforded the opportunity to provide a statement by D.O. B. Mire, see attached. Classification Detention Officer R. Pallini [REDACTED] and Sergeant T. Arlen, [REDACTED] were notified of this incident. A Confirmation of Service will be delivered to Inmate Howell upon the completion of this report.

## Incident Report